REMARKS

I. OBJECTION BASED ON MPEP §608.01

The Examiner has objected to the disclosure because it contains an embedded hyperlink and/or other form of browser executable code. Applicant respectfully disagrees. MPEP §608.01 states:

> "Where the hyperlinks and/or other forms of browser executable codes are part of applicant's invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. 112, first paragraph, and applicant does not intend to have these hyperlinks be active links, examiners should not object to these hyperlinks. The Office will disable these hyperlinks when preparing the text to be loaded onto the USPTO web database."

Applicant has listed HTML source code in the disclosure that is necessary to teach the invention and to comply with 35 U.S.C. 112, first paragraph. Therefore, Applicant respectfully requests that the Examiner withdraw the objection.

II. REJECTION BASED ON 35 U.S.C. §102

The Office Action has rejected Claims 1, 2, 4-17, 29, and 30 under 35 U.S.C. 102(e) as being anticipated by Kavner (U.S. Pat. No. 6,366,947).

Applicant respectfully disagrees.

In a proper rejection under § 102(e) the cited reference must show each and every claimed feature in the same combination as arranged in the claim. See Lewmar Marine, Inc. v. Barient, Inc., 827 F.2d 744, 747-48, 3 USPQ2d 1766, 1768 (Fed. Cir. 1987). If even a single element or limitation is missing from the reference, anticipation is not found. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983).

Claim 1 appears as follows:

1. A method of optimizing retrieval of electronic documents, comprising the computer-implemented steps of:

receiving a first electronic document;

identifying one or more symbolic references to other electronic documents within the first electronic document;

determining a network address of each of the other electronic documents corresponding to each of the symbolic references;

creating and storing a modified copy of the first electronic document in which the network address is substituted for each corresponding symbolic reference;

delivering the modified copy of the electronic document in response to all subsequent client requests for the first electronic document.

Kavner does not teach or disclose a method and system that identifies one or more symbolic references to other electronic documents within a first electronic document, determines a network address of each of the other electronic documents corresponding to each of the symbolic references, and creates and stores a modified copy of the first electronic document in which the network address is substituted for each corresponding symbolic reference as claimed in Claim 1. Kavner teaches away from such a method and system by teaching that a cache is used in conjunction with a Web browser to reduce the Web browser response time to a user, *i.e.*, to more speedily present data to a user (col. 3, line 34). The cache is used to store Web pages to provide the user with the benefit of seeing the Web page immediately. Col. 4, lines 44-59 state:

> "According to the preferred embodiment of the present invention, the intelligent cache operates much like the prior art system the first time a user accesses a particular web site or page. Accordingly, data representing the HTML and graphic image web resources are downloaded from the site and stored in the local cache. However, subsequent accesses to the page by the user results in all resources being immediately drawn from the local cache for presentation to the user. Additionally, the present invention operates to issue requests to the web site, substantially simultaneously with the immediate presentation of the cached resources to the user, in order to determine if the corresponding resources have been updated since their storage in cache. The user gets the benefit of being able to see the web page immediately while the resources that have changed since they were previously downloaded are updated in the background."

The Office Action states that Figure 5 shows "creating and storing a modified copy of the first electronic document in which the network address (IP address, figure 5) is substituted for each of the corresponding symbolic reference (col. 12, lines 48-56)." However, Kavner does not teach or disclose what the Office Action states. Figure 5 of Kavner shows that Kavner modifies the prior art to achieve a perceived speed increase in responding to a Web browser's requests, thereby providing a faster user response time. Kavner must obtain the IP address of a server in order to perform his background update of a resource from the actual IP address. This is not what is claimed in the invention.

Kavner in col. 13, lines 15-25 states:

> "If the address is not in the cache, the site name is converted to a TCP/IP address by a server, such as DNS server 122 of FIG. 1 (substep 516). Because this site name has not been connected before, or sufficient time has elapsed so as to eliminate its entry from cache, it is necessary to send it over the network for translation and, accordingly, to pay the price in waiting time due to network latency and modem bandwidth. Once received, the TCP/IP address corresponding to the site name is stored in the cache of computer 100 in order that future connections to this particular server may be accelerated (substep 517)."

Kavner shows that the TCP/IP address that was stored in the cache is used to update the copy of the resource in the cache in a background thread. Col. 14, lines 6-12 state:

"As will be explained hereinafter, also occurring at step 550 is the spawning of a separate thread in the background, thread 2, that communicates over the network to update the resource from the actual TCP/IP address (substep 553).

Independently, thread 2 is getting the resource over the network in the background. This is done to update the cache."

Kavner does not contemplate creating and storing a modified copy of the first electronic document in which the network address is substituted for each corresponding symbolic reference. For this reason, Kavner does not teach what is claimed in the invention.

Kavner further does not teach or disclose a method and system that delivers the modified copy of the electronic document in response to all subsequent client requests for the first electronic document as claimed in the invention. As discussed above, Kavner does not contemplate modifying corresponding symbolic references in an electronic document with a network address and therefore does not contemplate delivering the modified copy of the electronic document in response to all subsequent client requests for the first electronic document as claimed in the invention.

Kavner therefore does not teach every aspect of the claimed invention either explicitly or impliedly.

Claim 1 is allowable. Independent Claims 11-16 and 29 are similarly allowable. Claims 2 and 4-10 are dependent upon Claim 1 and are allowable. Claim 17 is dependent upon Claim 16 and is allowable. Claim 30 is dependent upon Claim 29 and is allowable. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. 102(e).

III. REJECTION BASED ON 35 U.S.C. §103(a)

The Office Action has rejected Claims 3, 18, 26, and 27 under 35 USC §103(a) as being unpatentable over Kavner in view applicant's admitted prior art.

The rejection under 35 USC §103(a) is deemed moot in view of Applicant's comments regarding Claims 1, 11-16 and 29, above. Claims 3 and 26 are dependent upon Independent Claim 1. Claims 18 and 27 are dependent upon Independent Claim 16. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC §103(a).

IV. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. Please charge any shortages in fees to Deposit Account No. 50-1302.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on October 28, 2003 by